QUINN EMANUEL URQUHART & SULLIVAN, LLP
Diane M. Doolittle (CA Bar No. 142046)
dianedoolittle@quinnemanuel.com
Sara Jenkins (CA Bar No. 230097)
sarajenkins@quinnemanuel.com
555 Twin Dolphin Drive, 5th Floor
Redwood Shores, CA 94065
Telephone: (650) 801-5000
Facsimile: (650) 801-5100

Andrew H. Schapiro (admitted *pro hac vice*)
andrewschapiro@quinnemanuel.com
Teuta Fani (admitted *pro hac vice*)
teutafani@quinnemanuel.com
Joseph H. Margolies (admitted *pro hac vice*)
josephmargolies@quinnemanuel.com
191 N. Wacker Drive, Suite 2700
Chicago, IL 60606
Telephone: (312) 705-7400
Facsimile: (312) 705-7401

Stephen A. Broome (CA Bar No. 314605)
stephenbroome@quinnemanuel.com
Viola Trebicka (CA Bar No. 269526)
violatrebicka@quinnemanuel.com
Crystal Nix-Hines (Bar No. 326971)
crystalnixhines@quinnemanuel.com
Alyssa G. Olson (CA Bar No. 305705)
alyolson@quinnemanuel.com
865 S. Figueroa Street, 10th Floor
Los Angeles, CA 90017
Telephone: (213) 443-3000
Facsimile: (213) 443-3100

Josef Ansorge (admitted *pro hac vice*)
josefansorge@quinnemanuel.com
Xi ("Tracy") Gao (CA Bar No. 326266)
tracygao@quinnemanuel.com
Carl Spilly (admitted *pro hac vice)*
carlspilly@quinnemanuel.com
1300 I Street NW, Suite 900
Washington D.C., 20005
Telephone: (202) 538-8000
Facsimile: (202) 538-8100

Counsel for Defendant Google LLC
Additional counsel on signature pages

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA, OAKLAND DIVISION

CHASOM BROWN, *et al.,* individually and on behalf of themselves and all others similarly situated, Plaintiffs, vs. GOOGLE LLC, Defendant.	Case No. 4:20-cv-03664-YGR-SVK **GOOGLE LLC'S ADMINISTRATIVE MOTION TO SEAL PORTIONS OF GOOGLE'S MOTION FOR SUMMARY JUDGMENT** Judge: Hon. Yvonne Gonzalez Rogers

I.   INTRODUCTION

Pursuant to Civil Local Rules 7-11 and 79-5, Defendant Google LLC ("Google") respectfully seeks to seal certain portions of Google LLC's Motion for Summary Judgment ("Motion"), which contains non-public, highly sensitive and confidential business information that could affect Google's competitive standing and may expose Google to increased security risks if publicly disclosed, including details related to Google's internal projects, internal databases, and logs, and their proprietary functionalities, as well as internal metrics, which Google maintains as confidential in the ordinary course of its business and is not generally known to the public or Google's competitors. This information is highly confidential and should be protected.

Moreover, the Motion contains, reflects, or summarizes information designated by Plaintiffs as confidential under the terms of the Stipulated Protective Order (Dkt. 81). Google respectfully requests that this information, identified below, provisionally remain under seal. Pursuant to Civil Local Rule 79-5(f), Plaintiffs bear the responsibility to establish that such information is sealable.

This Administrative Motion pertains to the following information contained in the Motion:

Document	Portions to be Filed Under Seal	Basis for Sealing
Google LLC's Motion for Summary Judgment	Highlighted Portions at: Pages 2:27-28, 6:17, 6:19, 7:4	The information requested to be sealed contains Google's highly confidential and proprietary information regarding highly sensitive features of Google's internal systems and operations, including various internal metrics, that Google maintains as confidential in the ordinary course of its business and is not generally known to the public or Google's competitors. Such confidential and proprietary information reveals Google's internal strategies, system designs, and business practices for operating and maintaining many of its important services, and falls within the protected scope of the Protective Order entered in this action. See Dkt. 81 at 2-3. Public disclosure of such confidential and proprietary information could affect Google's competitive standing

		as competitors may alter their systems and practices relating to competing products. It may also place Google at an increased risk of cybersecurity threats, as third parties may seek to use the information to compromise Google's internal practices relating to competing products.
Statement of Undisputed Facts	Highlighted Portions at: Pages 5:11, 5:21, 6:10, 7:3, 10:7	The information requested to be sealed contains Google's highly confidential and proprietary information regarding highly sensitive features of Google's internal systems and operations, including various types of Google's internal projects and internal metrics, that Google maintains as confidential in the ordinary course of its business and is not generally known to the public or Google's competitors. Such confidential and proprietary information reveals Google's internal strategies, system designs, and business practices for operating and maintaining many of its important services, and falls within the protected scope of the Protective Order entered in this action. See Dkt. 81 at 2-3. Public disclosure of such confidential and proprietary information could affect Google's competitive standing as competitors may alter their systems and practices relating to competing products. It may also place Google at an increased risk of cybersecurity threats, as third parties may seek to use the information to compromise Google's internal practices relating to competing products.
Broome Declaration Ex. 11 Plaintiff William Byatt's Objections and Responses to	Highlighted Portions at: Plaintiffs' Material	Document contains information designated by Plaintiffs as confidential and personally identifying.

Defendant's Third Set of Requests for Admission (Nos. 22-29)	PDF Page 7:9-10, 7:12-13	
Broome Declaration Ex. 16 Plaintiff Chasom Brown's Objections and Responses to Defendant's First Set of Interrogatories (Nos. 1-6)	Highlighted Portions at: Plaintiffs' Material PDF Pages 4:13, 4:17-19, 4:21, 7:5-7, 7:10	Document contains information designated by Plaintiffs as confidential and personally identifying.
Broome Declaration Ex. 17 Plaintiff William Byatt's Objections and Responses to Defendant's First Set of Interrogatories (Nos. 1-6)	Highlighted Portions at: Plaintiffs' Material PDF Pages 4:13-15, 4:17-18, 4:20-21, 7:1-2, 7:5	Document contains information designated by Plaintiffs as confidential and personally identifying.
Broome Declaration Ex. 18 Plaintiff Christopher Castillo's Objections and Responses to Defendant's First Set of Interrogatories (Nos. 1-6)	Highlighted Portions at: Plaintiffs' Material PDF Pages 4:13-15, 4:17-20, 4:22, 5:7, 7:2-8	Document contains information designated by Plaintiffs as confidential and personally identifying..
Broome Declaration Ex. 19 Plaintiff Jeremy Davis' Objections and Responses to Defendant's First Set of Interrogatories (Nos. 1-6)	Highlighted Portions at: Plaintiffs' Material PDF Pages 4:13, 4:16, 7:6	Document contains information designated by Plaintiffs as confidential and personally identifying.
Broome Declaration Ex. 20 Plaintiff Chasom Brown's Verified Amended Objections and Responses to Defendant's	Highlighted Portions at: Plaintiffs' Material PDF Pages 4:6, 4:11, 5:10-13, 5:15-16,	Document contains information designated by Plaintiffs as confidential and personally identifying.

Interrogatories 1, 4, and 5	6:10-12, 6:15, 7:5-8, 7:11	
Broome Declaration Ex. 21 Plaintiff William Byatt's Verified Amended Objections and Responses to Defendant's Interrogatories 1, 4, and 5	Highlighted Portions at: Plaintiffs' Material PDF Pages 4:6, 5:10-13, 5:15-16, 6:10-11, 6:14, 7:3-5, 7:8	Document contains information designated by Plaintiffs as confidential and personally identifying.
Broome Declaration Ex. 22 Plaintiff Christopher Castillo's Verified Amended Objections and Responses to Defendant's Interrogatories 1, 4, and 5	Highlighted Portions at: Plaintiffs' Material PDF Pages 4:6, 5:10-18, 6:12-18, 7:7-14	Document contains information designated by Plaintiffs as confidential and personally identifying.
Broome Declaration Ex. 23 Plaintiff Jeremy Davis' Verified Amended Objections and Responses to Defendant's Interrogatories 1, 4, and 5	Highlighted Portions at: Plaintiffs' Material PDF Pages 4:7, 5:10-13, 5:15-17, 6:15, 7:10	Document contains information designated by Plaintiffs as confidential and personally identifying.
Broome Declaration Ex. 28 Plaintiff Monique Trujillo's Objections and Responses to Defendant's First and Second Sets of Interrogatories (Nos. 3 & 10)	Highlighted Portions at: Plaintiffs' Material PDF Pages 3:12, 4:13, 4:16-17, 4:20, 6:12-17, 7:11-13, 7:15	Document contains information designated by Plaintiffs as confidential and personally identifying.
Broome Declaration Ex. 30 William Byatt's Objections and	Highlighted Portions at: Plaintiffs' Material	Document contains information designated by Plaintiffs as confidential and personally identifying.

Responses to Defendant's Fourth Set of Interrogatories (Nos. 12–15)	PDF Page 4:16-17, 4:19-20	
Broome Declaration Ex. 39 Plaintiffs' Objections and Responses to Defendant's Sixth Set of Interrogatories (No. 17)	Highlighted Portions at: Plaintiffs' Material 7:11-13, 7:16-17, 7:20, 8:2-3, 8:6-7, 12:24-13:1	Document contains information designated by Plaintiffs as confidential and personally identifying.
Broome Declaration Ex. 41 Defendant Google LLC's Objections and Responses to Plaintiffs' 7th Set of Interrogatories (Nos. 21-29)	Highlighted Portions at: Pages 4:7, 4:26, 6:17, 6:25-26, 7:13-14, 7:20, 7:27, 8:3-5, 8:13-14, 8:19	The information requested to be sealed contains Google's highly confidential and proprietary information regarding highly sensitive features of Google's internal systems and operations, including various types of Google's internal projects, identifiers and logs, and their proprietary functionalities, as well as internal metrics, that Google maintains as confidential in the ordinary course of its business and is not generally known to the public or Google's competitors. Such confidential and proprietary information reveals Google's internal strategies, system designs, and business practices for operating and maintaining many of its important services, and falls within the protected scope of the Protective Order entered in this action. See Dkt. 81 at 2-3. Public disclosure of such confidential and proprietary information could affect Google's competitive standing as competitors may alter their systems and practices relating to competing products. It may also place Google at an increased risk of cybersecurity threats, as third parties may seek to use the information to compromise Google's internal practices relating to competing products.
Broome Declaration Ex. 45	Highlighted Portions at:	The information requested to be sealed contains Google's highly confidential and proprietary

June 16, 2021 Glenn Berntson Deposition Transcript	Pages 281:11, 372:11, 372:15	information regarding highly sensitive features of Google's internal systems and operations, including various types of Google's internal projects, identifiers, and their proprietary functionalities, that Google maintains as confidential in the ordinary course of its business and is not generally known to the public or Google's competitors. Such confidential and proprietary information reveals Google's internal strategies, system designs, and business practices for operating and maintaining many of its important services, and falls within the protected scope of the Protective Order entered in this action. See Dkt. 81 at 2-3. Public disclosure of such confidential and proprietary information could affect Google's competitive standing as competitors may alter their systems and practices relating to competing products. It may also place Google at an increased risk of cybersecurity threats, as third parties may seek to use the information to compromise Google's internal practices relating to competing products.
Broome Declaration Ex. 56 February 18, 2022 Rory McClelland Deposition Transcript	Highlighted Portions at: Page 277:5	The information requested to be sealed contains Google's highly confidential and proprietary information regarding highly sensitive features of Google's internal systems and operations, including Google's internal projects and identifiers that Google maintains as confidential in the ordinary course of its business and is not generally known to the public or Google's competitors. Such confidential and proprietary information reveals Google's internal strategies, system designs, and business practices for operating and maintaining many of its important services, and falls within the protected scope of the Protective Order entered in this action. See Dkt. 81 at 2-3.

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		Public disclosure of such confidential and proprietary information could affect Google's competitive standing as competitors may alter their systems and practices relating to competing products. It may also place Google at an increased risk of cybersecurity threats, as third parties may seek to use the information to compromise Google's internal practices relating to competing products.
Broome Declaration Ex. 57 March 10, 2022 Stephen Chung 30(b)(6) Deposition Transcript	Highlighted Portions at: Pages 25:7, 25:14, 25:23-24, 26:3, 26:5-9, 27:10-11	The information requested to be sealed contains Google's highly confidential and proprietary information regarding highly sensitive features of Google's internal systems and operations, including various types of Google's internal projects, and their proprietary functionalities, that Google maintains as confidential in the ordinary course of its business and is not generally known to the public or Google's competitors. Such confidential and proprietary information reveals Google's internal strategies, system designs, and business practices for operating and maintaining many of its important services, and falls within the protected scope of the Protective Order entered in this action. See Dkt. 81 at 2-3. Public disclosure of such confidential and proprietary information could affect Google's competitive standing as competitors may alter their systems and practices relating to competing products. It may also place Google at an increased risk of cybersecurity threats, as third parties may seek to use the information to compromise Google's internal practices relating to competing products.
Broome Declaration Ex. 65 Brown - Google Subscriber Information (GOOG-BRWN-00029466)	Highlighted Portions at: Seal Entirely	The information requested to be sealed contains Google's highly confidential and proprietary information regarding highly sensitive features of Google's internal systems and operations, including various

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		types of Google's internal identifiers and logs, and their proprietary functionalities, that Google maintains as confidential in the ordinary course of its business and is not generally known to the public or Google's competitors. Such confidential and proprietary information reveals Google's internal strategies, system designs, and business practices for operating and maintaining many of its important services, and falls within the protected scope of the Protective Order entered in this action. See Dkt. 81 at 2-3. Public disclosure of such confidential and proprietary information could affect Google's competitive standing as competitors may alter their systems and practices relating to competing products. It may also place Google at an increased risk of cybersecurity threats, as third parties may seek to use the information to compromise Google's internal practices relating to competing products.
Broome Declaration Ex. 66 Byatt - Google Subscriber Information (GOOG-BRWN-00030964)	Highlighted Portions at: Seal Entirely	The information requested to be sealed contains Google's highly confidential and proprietary information regarding highly sensitive features of Google's internal systems and operations, including various types of Google's internal identifiers and logs, and their proprietary functionalities, that Google maintains as confidential in the ordinary course of its business and is not generally known to the public or Google's competitors. Such confidential and proprietary information reveals Google's internal strategies, system designs, and business practices for operating and maintaining many of its important services, and falls within the protected scope of the Protective Order entered in this action. See Dkt. 81 at 2-3. Public disclosure of such confidential and proprietary

		information could affect Google's competitive standing as competitors may alter their systems and practices relating to competing products. It may also place Google at an increased risk of cybersecurity threats, as third parties may seek to use the information to compromise Google's internal practices relating to competing products.
Broome Declaration Ex. 67 Castillo - Google Subscriber Information (GOOG-BRWN-00030104)	Highlighted Portions at: Seal Entirely	The information requested to be sealed contains Google's highly confidential and proprietary information regarding highly sensitive features of Google's internal systems and operations, including various types of Google's internal identifiers and logs, and their proprietary functionalities, that Google maintains as confidential in the ordinary course of its business and is not generally known to the public or Google's competitors. Such confidential and proprietary information reveals Google's internal strategies, system designs, and business practices for operating and maintaining many of its important services, and falls within the protected scope of the Protective Order entered in this action. See Dkt. 81 at 2-3. Public disclosure of such confidential and proprietary information could affect Google's competitive standing as competitors may alter their systems and practices relating to competing products. It may also place Google at an increased risk of cybersecurity threats, as third parties may seek to use the information to compromise Google's internal practices relating to competing products.
Broome Declaration Ex. 68 Davis - Google Subscriber Information (GOOG-BRWN-00229529)	Highlighted Portions at: Seal Entirely	The information requested to be sealed contains Google's highly confidential and proprietary information regarding highly sensitive features of Google's internal systems and operations, including various

		types of Google's internal identifiers and logs, and their proprietary functionalities, that Google maintains as confidential in the ordinary course of its business and is not generally known to the public or Google's competitors. Such confidential and proprietary information reveals Google's internal strategies, system designs, and business practices for operating and maintaining many of its important services, and falls within the protected scope of the Protective Order entered in this action. See Dkt. 81 at 2-3. Public disclosure of such confidential and proprietary information could affect Google's competitive standing as competitors may alter their systems and practices relating to competing products. It may also place Google at an increased risk of cybersecurity threats, as third parties may seek to use the information to compromise Google's internal practices relating to competing products.
Broome Declaration Ex. 69 Trujillo - Google Subscriber Information (GOOG-BRWN-00229514)	Highlighted Portions at: Seal Entirely	The information requested to be sealed contains Google's highly confidential and proprietary information regarding highly sensitive features of Google's internal systems and operations, including various types of Google's internal identifiers and logs, and their proprietary functionalities, that Google maintains as confidential in the ordinary course of its business and is not generally known to the public or Google's competitors. Such confidential and proprietary information reveals Google's internal strategies, system designs, and business practices for operating and maintaining many of its important services, and falls within the protected scope of the Protective Order entered in this action. See Dkt. 81 at 2-3. Public disclosure of such confidential and proprietary

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		information could affect Google's competitive standing as competitors may alter their systems and practices relating to competing products. It may also place Google at an increased risk of cybersecurity threats, as third parties may seek to use the information to compromise Google's internal practices relating to competing products.
Broome Declaration Ex. 70 Log Data Usage Rules (GOOG-BRWN-00029004)	Highlighted Portions at: Seal Entirely	The information requested to be sealed contains Google's highly confidential and proprietary information regarding highly sensitive features of Google's internal systems and operations, including various types of Google's internal policies, logs, and identifiers, that Google maintains as confidential in the ordinary course of its business and is not generally known to the public or Google's competitors. Such confidential and proprietary information reveals Google's internal strategies, system designs, and business practices for operating and maintaining many of its important services, and falls within the protected scope of the Protective Order entered in this action. See Dkt. 81 at 2-3. Public disclosure of such confidential and proprietary information could affect Google's competitive standing as competitors may alter their systems and practices relating to competing products. It may also place Google at an increased risk of cybersecurity threats, as third parties may seek to use the information to compromise Google's internal practices relating to competing products.
Broome Declaration Ex. 71 Device/App/Browser Fingerprinting and Immutable Identifiers Policy (GOOG-BRWN-00029326)	Highlighted Portions at: Seal Entirely	The information requested to be sealed contains Google's highly confidential and proprietary information regarding highly sensitive features of Google's internal systems and operations, including various types of Google's internal policies,

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		logs, and identifiers, that Google maintains as confidential in the ordinary course of its business and is not generally known to the public or Google's competitors. Such confidential and proprietary information reveals Google's internal strategies, system designs, and business practices for operating and maintaining many of its important services, and falls within the protected scope of the Protective Order entered in this action. See Dkt. 81 at 2-3. Public disclosure of such confidential and proprietary information could affect Google's competitive standing as competitors may alter their systems and practices relating to competing products. It may also place Google at an increased risk of cybersecurity threats, as third parties may seek to use the information to compromise Google's internal practices relating to competing products.
Broome Declaration Ex. 75 April 15, 2022 Expert Report of Bruce Schneier	Highlighted Portions at: Pages 25, 57-59, 73-75, 80, 83, 87, 89-91, 93, 96-97	The information requested to be sealed contains Google's highly confidential and proprietary information regarding highly sensitive features of Google's internal systems and operations, including various types of Google's internal projects, identifiers, and their proprietary functionalities, as well as internal metrics, that Google maintains as confidential in the ordinary course of its business and is not generally known to the public or Google's competitors. Such confidential and proprietary information reveals Google's internal strategies, system designs, and business practices for operating and maintaining many of its important services, and falls within the protected scope of the Protective Order entered in this action. See Dkt. 81 at 2-3. Public disclosure of such confidential and proprietary information could affect Google's

		competitive standing as competitors may alter their systems and practices relating to competing products. It may also place Google at an increased risk of cybersecurity threats, as third parties may seek to use the information to compromise Google's internal practices relating to competing products.
Broome Declaration Ex. 77 April 15, 2022 Expert Report of Jonathan E. Hochman	Highlighted Portions at: Plaintiff's Material Paragraphs 88-90, 115, 174-78, 224-25, 234, 236, 243, 246-47, Appendix B - paragraphs 11-13, 18-23, pages 17-36 Appendix G - paragraphs 7-8, 24, 26 Appendix H - TOC and paragraphs 1-41 Google Material Pages 9, 36, 44-46, 51-56, 59, 61,63-71, 73-76, 82, 86-91, 93-96, 98-108, 110-112, 115-126, 128-132, 134, 136-137, 139, 142, 145, 150, 152-154 Appendix A - Pages 3-4, 15, 19 Appendix D - Pages 1-5 Appendix E - Seal entirely Appendix F - Pages 2-10	The information requested to be sealed contains Google's highly confidential and proprietary information regarding highly sensitive features of Google's internal systems and operations, including various types of Google's internal projects, identifiers, and their proprietary functionalities, as well as internal metrics, that Google maintains as confidential in the ordinary course of its business and is not generally known to the public or Google's competitors. Such confidential and proprietary information reveals Google's internal strategies, system designs, and business practices for operating and maintaining many of its important services, and falls within the protected scope of the Protective Order entered in this action. See Dkt. 81 at 2-3. Public disclosure of such confidential and proprietary information could affect Google's competitive standing as competitors may alter their systems and practices relating to competing products. It may also place Google at an increased risk of cybersecurity threats, as third parties may seek to use the information to compromise Google's internal practices relating to competing products. Document contains information designated by Plaintiffs as confidential and personally identifying.

	Appendix G - Pages 1-6, 8-13 Appendix H - Pages 1-30 Appendix I - Seal entirely Exhibit C - Seal entirely Exhibit E - Seal entirely	
Broome Declaration Ex. 79 May 20, 2022 Expert Report of Mark Keegan: Rebuttal of Expert Report of Professor On Amir	Highlighted Portions at: Pages 59, 61 Exhibit 8 - Pages: Keegan_Exhibits_81, Keegan_Exhibits_83-87	The information requested to be sealed contains Google's highly confidential and proprietary information regarding highly sensitive features of Google's internal systems and operations, including various types of Google's internal projects, identifiers, and their proprietary functionalities, as well as internal metrics and research, that Google maintains as confidential in the ordinary course of its business and is not generally known to the public or Google's competitors. Such confidential and proprietary information reveals Google's internal strategies, system designs, and business practices for operating and maintaining many of its important services, and falls within the protected scope of the Protective Order entered in this action. See Dkt. 81 at 2-3. Public disclosure of such confidential and proprietary information could affect Google's competitive standing as competitors may alter their systems and practices relating to competing products. It may also place Google at an increased risk of cybersecurity threats, as third parties may seek to use the information to compromise Google's internal practices relating to competing products.

Broome Declaration Ex. 80 June 7, 2022 Expert Rebuttal Report of Georgios Zervas, PhD	Highlighted Portions at: Pages 9, 53	The information requested to be sealed contains Google's highly confidential and proprietary information regarding highly sensitive features of Google's internal systems and operations, including internal projects and their proprietary functionalities, that Google maintains as confidential in the ordinary course of its business and is not generally known to the public or Google's competitors. Such confidential and proprietary information reveals Google's internal strategies, system designs, and business practices for operating and maintaining many of its important services, and falls within the protected scope of the Protective Order entered in this action. See Dkt. 81 at 2-3. Public disclosure of such confidential and proprietary information could affect Google's competitive standing as competitors may alter their systems and practices relating to competing products. It may also place Google at an increased risk of cybersecurity threats, as third parties may seek to use the information to compromise Google's internal practices relating to competing products.
Broome Declaration Ex. 81 June 7, 2022 Expert Report of Professor Paul Schwartz	Highlighted Portions at: Pages 35-37, 39-41	The information requested to be sealed contains Google's highly confidential and proprietary information regarding highly sensitive features of Google's internal systems and operations, including various types of Google's internal policies, identifiers and logs, and their proprietary functionalities, that Google maintains as confidential in the ordinary course of its business and is not generally known to the public or Google's competitors. Such confidential and proprietary information reveals Google's internal strategies, system designs, and business practices for operating and

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		maintaining many of its important services, and falls within the protected scope of the Protective Order entered in this action. See Dkt. 81 at 2-3. Public disclosure of such confidential and proprietary information could affect Google's competitive standing as competitors may alter their systems and practices relating to competing products. It may also place Google at an increased risk of cybersecurity threats, as third parties may seek to use the information to compromise Google's internal practices relating to competing products.
Broome Declaration Ex. 82 June 7, 2022 Expert Report of Konstantinos Psounis, PhD	Highlighted Portions at: Pages 3-4, 22-24, 31-32, 38-43, 50-53, 58-59, 65-66, 73, 78, 87-89, 94-95, 105, 107-108, 110-112, 114, 117, 175-184, 187-190	The information requested to be sealed contains Google's highly confidential and proprietary information regarding highly sensitive features of Google's internal systems and operations, including various types of Google's internal projects, identifiers and logs, and their proprietary functionalities, as well as internal metrics, that Google maintains as confidential in the ordinary course of its business and is not generally known to the public or Google's competitors. Such confidential and proprietary information reveals Google's internal strategies, system designs, and business practices for operating and maintaining many of its important services, and falls within the protected scope of the Protective Order entered in this action. See Dkt. 81 at 2-3. Public disclosure of such confidential and proprietary information could affect Google's competitive standing as competitors may alter their systems and practices relating to competing products. It may also place Google at an increased risk of cybersecurity threats, as third parties may seek to use the information to compromise Google's internal practices relating to competing products.

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Broome Declaration Ex. 83 August 4, 2022 Declaration of Glenn Berntson regarding Google Ad Manager and Google Adsense	Highlighted Portions at: Pages 19:21-23, 20:20-24, 21:1-7	The information requested to be sealed contains Google's highly confidential and proprietary information regarding highly sensitive features of Google's internal systems and operations, including various types of Google's internal projects, identifiers and logs, and their proprietary functionalities, as well as internal metrics, that Google maintains as confidential in the ordinary course of its business and is not generally known to the public or Google's competitors. Such confidential and proprietary information reveals Google's internal strategies, system designs, and business practices for operating and maintaining many of its important services, and falls within the protected scope of the Protective Order entered in this action. See Dkt. 81 at 2-3. Public disclosure of such confidential and proprietary information could affect Google's competitive standing as competitors may alter their systems and practices relating to competing products. It may also place Google at an increased risk of cybersecurity threats, as third parties may seek to use the information to compromise Google's internal practices relating to competing products.
Broome Declaration Ex. 85 August 5, 2022 Declaration of Jonathan McPhie Regarding Google's Disclosures	Highlighted Portions at: Plaintiff Material Pages 22:21, 22:23, 22:25, 23:2, 23:4, 23:6 Google Material Pages 16:15, 16:18, 16:25, 23:10, 23:14, 25:8, 26:11-12, 29:3,	The information requested to be sealed contains Google's highly confidential and proprietary information regarding highly sensitive features of Google's internal systems and operations, including various types of Google's internal projects, identifiers and logs, and their proprietary functionalities, as well as internal metrics, that Google maintains as confidential in the ordinary course of its business and is not generally known to the public or Google's competitors. Such confidential and proprietary

	29:5-14, 32:5, 32:22, 33:10	information reveals Google's internal strategies, system designs, and business practices for operating and maintaining many of its important services, and falls within the protected scope of the Protective Order entered in this action. See Dkt. 81 at 2-3. Public disclosure of such confidential and proprietary information could affect Google's competitive standing as competitors may alter their systems and practices relating to competing products. It may also place Google at an increased risk of cybersecurity threats, as third parties may seek to use the information to compromise Google's internal practices relating to competing products. The document also contains information designated by Plaintiffs as confidential and personally identifying.
Broome Declaration Ex. 87 Exhibit 15 to the August 5, 2022 Declaration of Jonathan McPhie Regarding Google's Disclosures (GOOG-CABR-05435660)	Highlighted Portions at: Seal Entirely	The information requested to be sealed contains Google's highly confidential and proprietary information regarding highly sensitive features of Google's internal systems and operations, including various types of Google's internal projects, identifiers and logs, and their proprietary functionalities, as well as internal metrics, that Google maintains as confidential in the ordinary course of its business and is not generally known to the public or Google's competitors. Such confidential and proprietary information reveals Google's internal strategies, system designs, and business practices for operating and maintaining many of its important services, and falls within the protected scope of the Protective Order entered in this action. See Dkt. 81 at 2-3. Public disclosure of such confidential and proprietary information could affect Google's competitive standing

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		as competitors may alter their systems and practices relating to competing products. It may also place Google at an increased risk of cybersecurity threats, as third parties may seek to use the information to compromise Google's internal practices relating to competing products.
Broome Declaration Ex. 88 Exhibit 17 to the August 5, 2022 Declaration of Jonathan McPhie Regarding Google's Disclosures	Highlighted Portions at: Seal Entirely	The information requested to be sealed contains Google's highly confidential and proprietary information regarding highly sensitive features of Google's internal systems and operations, including various types of Google's internal projects, identifiers and logs, and their proprietary functionalities, as well as internal metrics, that Google maintains as confidential in the ordinary course of its business and is not generally known to the public or Google's competitors. Such confidential and proprietary information reveals Google's internal strategies, system designs, and business practices for operating and maintaining many of its important services, and falls within the protected scope of the Protective Order entered in this action. See Dkt. 81 at 2-3. Public disclosure of such confidential and proprietary information could affect Google's competitive standing as competitors may alter their systems and practices relating to competing products. It may also place Google at an increased risk of cybersecurity threats, as third parties may seek to use the information to compromise Google's internal practices relating to competing products.
4/29/21 Monsees Depo Transcript Excerpt	Highlighted Portions at: Page 86:14-15, 20-22	The information requested to be sealed contains Google's highly confidential and proprietary information regarding highly sensitive features of Google's internal systems and operations, including various types of Google's internal policies and

		logs, that Google maintains as confidential in the ordinary course of its business and is not generally known to the public or Google's competitors. Such confidential and proprietary information reveals Google's internal strategies, system designs, and business practices for operating and maintaining many of its important services, and falls within the protected scope of the Protective Order entered in this action. See Dkt. 81 at 2-3. Public disclosure of such confidential and proprietary information could affect Google's competitive standing as competitors may alter their systems and practices relating to competing products. It may also place Google at an increased risk of cybersecurity threats, as third parties may seek to use the information to compromise Google's internal practices relating to competing products.

II.   LEGAL STANDARD

A party seeking to seal material must "establish[] that the document, or portions thereof, are privileged, protectable as a trade secret or otherwise entitled to protection under the law" (*i.e.*, is "sealable"). Civ. L.R. 79-5(b). The sealing request must also "be narrowly tailored to seek sealing only of sealable material." *Id.*

In the context of dispositive motions, materials may be sealed in the Ninth Circuit upon a showing that there are "compelling reasons" to seal the information. *See Kamakana v. City & Cty. of Honolulu,* 447 F.3d 1172, 1179-80 (9th Cir. 2006). Quoting the Supreme Court's decision in *Nixon v. Warner Communications*, the Ninth Circuit has noted that examples of what might constitute a compelling reason include "'sources of business information that might harm a litigant's competitive standing.'" *Ctr. for Auto Safety v. Chrysler Grp., LLC*, 809 F.3d 1092, 1097 (9th Cir. 2016) (quoting 435 U.S. 589, 598-99 (1978)). The materials that Google seeks to seal here easily meet the "compelling reasons" standard.

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1   **III.   THE ABOVE IDENTIFIED MATERIALS SHOULD ALL BE SEALED**

2   Courts have repeatedly found it appropriate to seal documents that contain "business

3   information that might harm a litigant's competitive standing."   *Nixon*, 435 U.S. at 589-99.

4   Materials that could harm a litigant's competitive standing may be sealed under the "compelling

5   reasons" standard. *See e.g.*, *Icon-IP Pty Ltd. v. Specialized Bicycle Components, Inc*., 2015 WL

6   984121, at *2 (N.D. Cal. Mar. 4, 2015) (information "is appropriately sealable under the 'compelling

7   reasons' standard where that information could be used to the company's competitive

8   disadvantage") (citation omitted). Courts in this district have also determined that motions to seal

9   may be granted as to potential trade secrets. *See, e.g. United Tactical Sys., LLC v. Real Action

10   Paintball, Inc*., 2015 WL 295584, at *3 (N.D. Cal. Jan. 21, 2015) (rejecting argument against sealing

11   "that [the party] ha[s] not shown that the substance of the information . . . amounts to a trade

12   secret").

13   Here, the compelling reason standard is satisfied. The Motion comprises confidential and

14   proprietary information regarding highly sensitive features of Google's internal systems and

15   operations that Google does not share publicly. Specifically, this information provides details

16   related to Google's internal projects, internal databases, and logs, and their proprietary

17   functionalities, specifically relating to Google's anti-fraud measures. Such information reveals

18   Google's internal strategies, system designs, and business practices for operating and maintaining

19   many of its important services while complying with its legal and privacy obligations.

20   Public disclosure of the above-listed information would harm Google's competitive standing

21   it has earned through years of innovation and careful deliberation, by revealing sensitive aspects of

22   Google's proprietary systems, strategies, and designs to Google's competitors. That alone is a proper

23   basis to seal such information. *See, e.g.*, *Free Range Content, Inc. v. Google Inc*., No. 14-cv-02329-

24   BLF, Dkt. No. 192, at 3-9 (N.D. Cal. May 3, 2017) (granting Google's motion to seal certain

25   sensitive business information related to Google's processes and policies to ensure the integrity and

26   security of a different advertising system); *Huawei Techs., Co. v. Samsung Elecs. Co*., No. 3:16-cv-

27   02787-WHO, Dkt. No. 446, at 19 (N.D. Cal. Jan. 30, 2019) (sealing confidential sales data because

28   "disclosure would harm their competitive standing by giving competitors insight they do not have");

1 *Delphix Corp. v. Actifio, Inc.*, No. 13-cv-04613-BLF, 2014 WL 4145520, at *2 (N.D. Cal. Aug. 20,

2 2014) (sealing "highly sensitive information regarding Delphix's product architecture and

3 development"); *Trotsky v. Travelers Indem. Co.*, 2013 WL 12116153, at *8 (W.D. Wash. May 8,

4 2013) (granting motion to seal as to "internal research results that disclose statistical coding that is

5 not publicly available").

6   Moreover, if publicly disclosed, malicious actors may use such information to seek to

7 compromise Google's infrastructure. Google and its users would be placed at an increased risk of

8 cyber security threats, and data related to its users could similarly be at risk. *See, e.g.*, *In re Google*

9 *Inc. Gmail Litig.*, 2013 WL 5366963, at *3 (N.D. Cal. Sept. 25, 2013) (sealing "material

10 concern[ing] how users' interactions with the Gmail system affects how messages are transmitted"

11 because if made public, it "could lead to a breach in the security of the Gmail system. The security

12 threat is an additional reason for this Court to seal the identified information.

13   The information Google seeks to redact, including information related to Google's internal

14 projects, internal databases, and logs, and their proprietary functionalities, as well as internal metrics

15 is the minimal amount of information needed to protect its internal systems and operations from

16 being exposed to not only its competitors but also to nefarious actors who may improperly seek

17 access to and disrupt these systems and operations. The "good cause" rather than the "compelling

18 reasons" standard should apply but under either standard, Google's sealing request is warranted.

19 **IV.   CONCLUSION**

20   For the foregoing reasons, the Court should seal the identified portions of the Motion.

21

22 DATED: March 21, 2023   QUINN EMANUEL URQUHART &
                                            SULLIVAN, LLP
23   By _____
                                               /s/ Andrew H. Schapiro
24   Andrew H. Schapiro (admitted *pro hac vice*)
                                               andrewschapiro@quinnemanuel.com
25   191 N. Wacker Drive, Suite 2700
                                               Chicago, IL 60606
26   Telephone: (312) 705-7400
                                               Facsimile: (312) 705-7401
27
                                               Stephen A. Broome (CA Bar No. 314605)
28

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stephenbroome@quinnemanuel.com
Viola Trebicka (CA Bar No. 269526)
violatrebicka@quinnemanuel.com
Crystal Nix-Hines (CA Bar No. 326971)
crystalnixhines@quinnemanuel.com
865 S. Figueroa Street, 10th Floor
Los Angeles, CA 90017
Telephone: (213) 443-3000
Facsimile: (213) 443-3100

Diane M. Doolittle (CA Bar No. 142046)
dianedoolittle@quinnemanuel.com
555 Twin Dolphin Drive, 5th Floor
Redwood Shores, CA 94065
Telephone: (650) 801-5000
Facsimile: (650) 801-5100

Josef Ansorge (admitted *pro hac vice*)
josefansorge@quinnemanuel.com
1300 I. Street, N.W., Suite 900
Washington, D.C. 20005
Telephone: 202-538-8000
Facsimile: 202-538-8100

Jomaire A. Crawford (admitted *pro hac vice*)
jomairecrawford@quinnemanuel.com
51 Madison Avenue, 22nd Floor
New York, NY 10010
Telephone: (212) 849-7000
Facsimile: (212) 849-7100

Jonathan Tse (CA Bar No. 305468)
jonathantse@quinnemanuel.com
50 California Street, 22nd Floor
San Francisco, CA 94111
Telephone: (415) 875-6600
Facsimile: (415) 875-6700

Attorneys for Defendant Google LLC

Case No. 4:20-cv-03664-YGR-SVK
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